

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ping, Er-Xuan et al.  
Serial No. : Not Yet Assigned  
Filing Date :  
For : Method for Forming Raised Structures by Controlled Selective Epitaxial Growth of Facet Using Spacer

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Assistant Commissioner for Patents  
Washington, D.C. 20231

**POWER OF ATTORNEY BY ASSIGNEE  
AND CERTIFICATE UNDER 37 CFR § 3.73(b)**

Sir:

MICRON TECHNOLOGY, INC., assignee of the entire right, title and interest by assignment from the inventor(s) in the above-identified application, hereby appoints the following attorneys and agents:

Gary R. Plotecher, Reg. No. 27830  
Alan E. Wagner, Reg. No. 45188  
Alexander R. Kuszewski, Reg. No. 41920  
Charles B. Brantley, II, Reg. No. 38086

Kristine M. Strodthoff, Reg. No. 34259  
Thomas J. Pienkos, Reg. No. P46992  
Michael L. Lynch, Reg. No. 30871

as its attorneys with full power of substitution to prosecute this application and all applications claiming filing date priority therefrom and to transact all business in the U.S. Patent and Trademark Office in connection therewith.

**The above-identified assignee hereby elects, pursuant to 37 CFR §3.71, to conduct the prosecution of the above-identified patent application to the exclusion of the inventor(s).**

A chain of title from the inventor(s) of the above-identified patent application to the above-identified assignee is shown:

☐ In an assignment recorded in the U.S. Patent and Trademark Office at Reel \_\_\_, Frame \_\_\_\_.

☒ In an assignment filed herewith for recordation, a true copy of which is attached hereto.

The undersigned has reviewed the above-identified assignment and, to the best of his knowledge and belief, title is in the above-identified assignee.

The undersigned further avers that he is empowered to make and sign the foregoing certification on behalf of the above-identified assignee, and to take the action set further herein on its behalf.

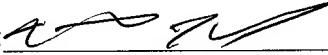
Please direct all communications regarding the above-identified application to:

Kristine M. Strodthoff  
Whyte Hirschboeck Dudek S.C.  
111 E. Wisconsin Ave., Suite 2100  
Milwaukee, WI 53202  
phone: (414) 273-2100  
fax: (414) 223-5000

Respectfully submitted,

MICRON TECHNOLOGY, INC.

Dated: 2-14-01

By:   
Michael L. Lynch  
Chief Patent Counsel

Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0032  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>	<b>Attorney Docket Number</b>	MTI-31041
	<b>First Named Inventor</b>	Ping, Er-Xuan
	<b>COMPLETE IF KNOWN</b>	
	<b>Application Number</b>	
	<b>Filing Date</b>	
	<b>Group Art Unit</b>	
<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing	<b>OR</b>	<input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)
	<b>Examiner Name</b>	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled.

Method for Forming Raised Structures by Controlled Selective Epitaxial  
Growth of Facet Using Spacer

the specification of which (Title of the Invention)

☒ is attached hereto  
OR

☐ was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 356(b) of any foreign application(s) for patent or inventor's certificate, or 356(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

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## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02C attached hereto

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith ☐ Customer Number 022202 OR

☒ Registered practitioner(s) name/registration number listed below

Place Customer  
Number Bar Code  
Label here

Name	Registration Number	Name	Registration Number
Gary R. Plotecher	27830	Alan E. Wagner	45188
Kristine M. Strodthoff	34259	Thomas J. Pienkos	P46992
Alexander R. Kuszewski	41920	Michael L. Lynch	30871

☒ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto

Direct all correspondence to: ☐ Customer Number                      OR ☒ Correspondence address below

Name	Kristine M. Strodthoff, Esq.				
Address	Whyte Hirschboeck Dudek S.C.				
Address	111 E. Wisconsin Avenue, Suite 2100				
City	Milwaukee	State	WI	ZIP	53202
Country	USA	Telephone	414/273-2100	Fax	414/223-5000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	Family Name or Surname
Er-Xuan	Ping

Inventor's Signature	<u>Er-Xuan Ping</u>	Date	<u>03/12/01</u>				
Residence City	Meridian	State	ID	Country	USA	Citizenship	USA

Post Office Address	2239 E. Chateau Dr.						
Post Office Address							
City	Meridian	State	ID	ZIP	83642	Country	USA

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

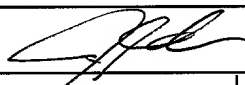
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## DECLARATION

ADDITIONAL INVENTOR(S)  
Supplemental Sheet  
Page 1 of 1

<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor											
Given Name (first and middle [if any])				Family Name or Surname											
Jeffrey A.				McKee											
Inventor's Signature				Date		03/12/01									
Residence: City		Meridian		State		ID		Country		USA		Citizenship		USA	
Post Office Address		3891 S. Gideon Pl.													
Post Office Address															
City		Meridian		State		ID		ZIP		83642		Country		USA	
<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor											
Given Name (first and middle [if any])				Family Name or Surname											
Inventor's Signature				Date											
Residence: City				State				Country				Citizenship			
Post Office Address															
Post Office Address															
City				State				ZIP				Country			
<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor											
Given Name (first and middle [if any])				Family Name or Surname											
Inventor's Signature				Date											
Residence: City				State				Country				Citizenship			
Post Office Address															
Post Office Address															
City				State				ZIP				Country			

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For: ☒ U.S. and/or ☒ Foreign-Rights  
For: ☒ U.S. Application-or ☐ U.S. Provisional Application  
For: ☒ U.S. Patent For: ☐ PCT Application  
By: ☒ Inventor(s) or ☐ Present-Owner

ASSIGNMENT OF INVENTION (MULTIPLE INVENTORS)

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNORS:

Er-Xuan Ping

Inventor(s) or person(s) or entity(ies) who own the invention

2239 E. Chateau Dr.  
Meridian, Idaho 83642  
Address  
Nationality U.S.A.

Jeffrey A. McKee

Inventor(s) or person(s) or entity(ies) who own the invention

3891 S. Gideon Pl.  
Meridian, Idaho 83642  
Address  
Nationality U.S.A.

hereby sells, assigns and transfers to

ASSIGNEE:

Micron Technology, Inc.

Inventor(s) or person(s) or entity(ies) who own the invention

8000 S. Federal Way  
Boise, Idaho 83706-9632  
Address

and the successors, assigns and legal representatives of the ASSIGNEE  
(complete one of the following)

- ☒ the entire right, title and interest
- ☐ an undivided percent (%) interest for the United States and its territorial possessions
- ☒ and in all foreign countries, including all rights to claim priority in and to any and all improvements which are disclosed in the invention entitled:

**Method for Forming Raised Structures by Controlled  
Selective Epitaxial Growth of Facet Using Spacer**

and which is found in (37 C.F.R. § 3.21)

- (a) ☒ U.S. patent application executed on even date herewith
- (b) ☐ U.S. patent application executed on \_\_\_\_\_.
- (c) ☐ U.S. provisional application number \_\_\_\_\_ filed on \_\_\_ naming the  
above inventor(s) for the above-entitled invention
- ☐ Express mail label no.:

Mailed: \_\_\_\_\_

- ☐ To comply with 37 C.F.R. § 3.21 for recordal of this assignment, I, an  
ASSIGNOR signing below, hereby authorize and request my attorney to insert  
below the filing date and application number when they become known.
- (d) ☐ U.S. application no. \_\_\_\_\_ filed on \_\_\_\_\_
- (e) ☐ International application no. \_\_\_\_\_ PCT/ filed on \_\_\_\_\_
- (f) ☐ U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_
- ☐ A change of address to which correspondence is to be sent regarding patent  
maintenance fees is being sent separately.

(check (g), if foreign application(s) is also being assigned)

- (g) ☒ and any legal equivalent thereof in a foreign country, including the right to  
claim priority

and, in and to, all Letters Patent to be obtained for said invention by the above application or any  
continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or  
re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or  
will be made or entered into which would conflict with this assignment.

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with  
all pertinent facts and documents relating to said invention and said Letters Patent and legal



equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

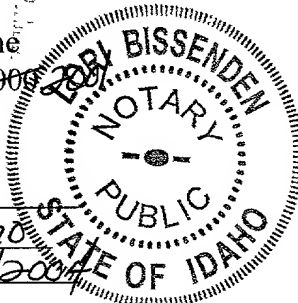
IN WITNESS WHEREOF, We have hereunto set hand and seal this 12<sup>th</sup> day of March, 2000  
2001

WARNING The date of signing must be the same as the date of execution of the application, if item (a) was checked above.

Date: 03/12/01

Er-Xuan Ping  
Er-Xuan Ping

Subscribed and sworn to before me  
this 12<sup>th</sup> day of March, 2000  
2001



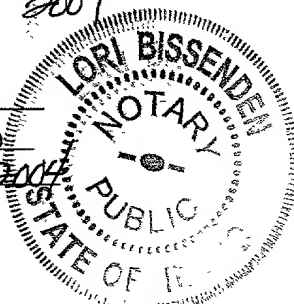
Lori Bissenden  
Notary Public State of Idaho  
My Commission Expires: 6/12/2004

\*\*\*\*\*

Date: 03/12/01

Jeffrey A. McKee  
Jeffrey A. McKee

Subscribed and sworn to before me  
this 12<sup>th</sup> day of March, 2000  
2001



Lori Bissenden  
Notary Public State of Idaho  
My Commission Expires: 6/12/2004